IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1568 of 2005

Between:

Chittoor District Recognised English Medium Schools' Association, O/a 424, Bhavani Nagar, Tirupati rep., by its General Secretary G.Gopal, s/o Reddeppa Chetty, aged 50 years, residing at 307, Giripuram, Tirupati.

..... PETITIONER

AND

1 The Regional Joint Director of School Education, Cuddapah.
2 The District Educational Officer, Chittoor.
3 Bhashyam Public School, AIR Byepass Road, New Balaji Colony, Tirupati rep., by its Director B.Ramakrishna

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ or direction, more particularly in the nature of writ of mandamus declaring the inaction of the respondents 1 and 2 against the 3rd respondent Institution is in violation of Rule 4(1)(b) of A.P.Educational Institutions under Private Management Rules, 1993 and to declare the introduction of unhealthy practice to attract the students of other schools in the educational system by the 3rd respondent is illegal, bad, violative of educational norms, standards and rules of G.O.Ms.No.1, Education (PS-2), dt.1-1-1994 and pass necessary orders.

Counsel for the Petitioner: MR.K.S.GOPALA KRISHNAN

Counsel for the Respondent Nos.1 to 3: GP FOR SCHOOL EDUCATION

The Court made the following :

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O R D E R:

The petitioner seeks a declaration that the alleged inaction on the part of the respondents 1 and 2 in taking action against the third respondent-Institution for the advertisement issued by it, which is alleged to be in violation of Rule 4(1) (b) of the Andhra Pradesh Educational Institutions under Private Management Rules 1993, is arbitrary and illegal. Since admittedly the representation made by the petitioner to that effect on 22-01-2005 is pending before the District Educational Officer, Chittoor (the second respondent), I am not inclined to go into the correctness of the allegations made by the petitioner. Instead, I deem it appropriate to direct the 2nd respondent to pass appropriate orders on the application of the petitioner expeditiously.

The writ petition is accordingly disposed of with a direction to the second respondent to consider the representation dated 22-01-2005 made by the petitioner and to pass appropriate orders, in accordance with law on or before 05-02-2005 after affording due opportunity to the third respondent. No costs.

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(G. ROHINI, J)

Date:03-02-2005

Note:Office to issue C.C today

B/o

ghn

To

1 The Regional Joint Director of School Education, Cuddapah.
2 The District Educational Officer, Chittoor.
3 Bhashyam Public School, AIR Byepass Road, New Balaji Colony, Tirupati rep., by its Director B.Ramakrishna

4 Two C.Cs to the G.P. for School Education, High Court of A.P.,

Hyderabad.(O.U.T.)

5 Two C.D copies.